Secrt. H.27—40,000—20-12-38.

Public Works (1937) Department.

Irrigation

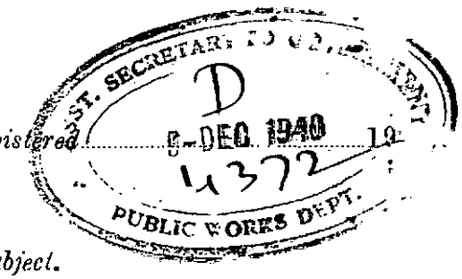
MS. SERIES.

G.O. No.	1833
	1833
Dated	28.7.41
	28.7.41

[Despatch Abstract.]

C.F. 30.

DEPARTMENT.



Received ..... 19 *Registered* 8-DEC 1940 19

Subject.

Ferries - Mangalore Taluk - Ferries at Kodi, Gundi and Sasihithlu- Transfer of the Management of the ferries to Mulky Panchayat Board - cancellation -request.

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref No. 26231-C2/40

Station Mangalore, *Dated the* 25-11- 19 40

From (Name) Sri K.Vittal Shetty,

(Designation) President, District Board, S.Kanara.

To The Secretary to the Government of Madras,

Public Works .. Department.
Madras.

Sir,

(A)

With reference to G.O.No. Ms. 2084 P.W. (Irrigation) dated 30-9-1940, I have to bring to the notice of Government the following :-

(1) The management of ferries has been transferred to Mulky Panchayat Board without obtaining the views of the District Board, about its willingness or otherwise to relinquish its rights, assigned to it under the provisions of the Canals and Public Ferries Act 1890. When the Panchayat Board Mulky applied for the transfer of the management of the ferries to its Panchayat Board, its request was not complied with by the District Board in

P.T.O.

its resolution No. 63 dated 25-5-1936 (copy enclosed). The District Board was of opinion that the revenue of the District Board which is already on the decline, as a result of the transfer of the management of Markets, cartstands etc., as a result of the constitution of -- Panchayat Boards would be further depleted and involve a general policy in case the request of one Panchayat Board is to be complied with. The request of the Panchayat Board was also not recommended by the Inspector of Municipal Councils and Local Boards, Madras, in his L.Dis. 16594-39 dated 10-2-1940 on the ground that the finances of the Panchayat Board were not sound enough to undertake the construction of roads, leading to the ferries at a cost of about Rs (9000/-) Nine thousand.

2. The reasons under which the Government withdrew the management of the ferries at Kodi, Gundi and Sasihithlu, were not communicated to the District Board. If it is the intention of Government that the ferries lying within the jurisdiction of the Panchayat Board are to be transferred to the Panchayat Board, it will create a precedent for similar requests from other Panchayat Boards, resulting in the further depletion of revenues of the District Board.

3. As per reclassification of ferries in South Kanara District approved in G.O.No. 1121-/- P.W. dated 3-6-1940, the Gundi ferry has been classified as third class (a) ferry and Kodi and Sasihithlu as Third class (B) ferries. Though the Government have assigned the management of the ferries in question to the Mulky Panchayat Board, the rates of tolls to be levied at the ferries have not been fixed as required by section 10 of the Canals and Public Ferries Act 1890.

In the circumstances stated above, Government may be pleased to cancel the orders issued by them in G.O.No. Ms. 2084 P.W. dated 30-9-1940 referred to above.

A copy of the President's letter addressed to

Extract from the proceedings of the meeting of the members of the South Kanara District Board, dated 25th May 1936.

Present.

M.R.Ry. Dewan Bahadur B.Mahabala Hegde Avl., B.A., B.L., President.
" A.C.Gonsalves , Avl., B.A.,B.L.. Vice President.
" K.J.Ballal Avl., B.A., LL.B.,
" B.Manjaya Hegde Avl., B.A.,B.L.,
Janab Mahomed Sherule Saheb Bahadur.
Janab B.L.Ahmad Saheb Bahadur.
M.R.Ry S.Chinnappa Gowda Avl., B.A.,B.L.,
" V.Ramanna Shetty Avl., B.A.,B.L.,
" K.Venkappa Shetty Avl.,
" A.B.Shetty Avl., M.L.C.
" H.Bhujanga Ballal Avl.,
Janab K.Abdulla Kunhi Saheb Bahadur.
M.R.Ry B.Shivarama Shetty, Avl. B.A.B.L.
" K.Vittal Shetty Avl.,
Mrs. S.Sushila Bai, Udpa.
M.R.Ry T.Lakkanna Sheneva Avl.,
" A.Venkappa Rai Avl.,
" P.Gururaja Achar Avl.,
" K.Anantha Shetty Avl.,
" H.Dasanna Alva Avl., B.A.,B.L.,
" B.Krishnaya Hegde Avl.,.
" B.Mangesh Rao Avl.,
" Madara Avl.,
" Balkatte Krishnaya Hegde Avl.,
" B.Venkappa Rai Avl.,
" K.Sadashiva Adiga Avl., B.A.,.L.
" K.Krishna Bhat Avl.,
" M.S.Sreshta Avl., M.L.C.
" S.Anthaya Shetty Avl.,
" K.Kunhambu Nair Avl.,.
M.R.Ry. K.Ishwara Avl., B.A.B.L.
" M.Sadashiva Rao Avl.,
" K.Deju Shetty Avl.,
" N.Manjappa Adyanthaya Avl.,
Mrs. Manorama Bai
M.R.Ry P.Shreevarma Shetty Avl.,
Janab Ch.Kuhi Kalandar Saheb Bahadur
M.R.Ry K.Raghuchandra Ballal Avl.,

63. Letter No. 78 dated 19th December 1935 of the President Panchayat Board,Moolky, forwarding resolution No. 4 dated 4th October 1935 requesting to transfer the management of (1) Sashihithlu(2)Gur"" and (3) Kodi ferries to the Panchayat Board.

Endorsement N.Dis.C.No 6/A.E.M. 1936 dated 6th January 1936 of the Assistant Engineer,Mangalore stating that the only two ferries lie within the Panchayat Board area and Sashihithlu ferry lies beyond the jurisdiction of the Panchayat Board.

Also District Board resolution No. 308 dated 30th March 1936 making the paper to lie over.

Resolution :-

Board refuses.

(sd) B.Mahabala Hegde
President.

/True copy/

PRESIDENT,Dt.Board,S.K.

DJK/4.12.40

Copy of letter C.No. 9263 -C5/39 dated 26th June 1939 of the President, District Board, South Kanara, to the Inspector of Municipal Councils and Local Boards, Madras.

Subject:- Ferries - transfer of side ferries - to Moolky Panchayat Board - report sent.

Ref:- Your letter R.O.C. No. 16594-39-C5 dated 9-6-1939

With reference to your letter quoted above, I have to state that the Panchayat Board, Moolky, does not really maintain the full length of roads leading to the ferries in question as represented to you and this will be evident from the letter of the Panchayat Board R.O.C.No. 208-B/P.B.M. 39-40 dated 14-6-1939, a copy of which I enclose for your ready reference. The Panchayat Board is, in fact, maintaining only a portion of the roads now existing and it is only the intention of the Board to continue these blind roads till the sides of the ferries at some time in future. When the Panchayat Board will be in a position to lay out the remaining portions of the roads and whether its finances, even if the management of the ferries is transferred to the Panchayat Board will permit it to maintain them satisfactorily, are questions which call for investigation. I am therefore asking the District Board Engineer to let me know the actual length of roads to be constructed on either sides of the ferries, the estimated cost for laying out the roads in question and the actual length of these roads which the Panchayat Board is now maintaining

2. The principle involved in cases of this kind is whether a Panchayat Board which has not full lengths of roads does not maintain roads on either sides of a ferry or ferries has any legitimate claim to demand the control over such a ferry or ferries. It is my considered opinion that it is an unsound policy to transfer control of district Board ferries to Panchayat Boards merely on the ground that ferries lie in the jurisdiction of these boards. If once this principle is accepted, other institutions now managed by the District Board have necessarily to be transferred to the Panchayat Boards.

3. The circumstances in which the Kodi ferry in

Coondapur Taluk was transferred to the Coondapur Panchayat Board by Government were quite different from those existing in the case of the Moolky Panchayat Board. The Panchayat Board Coondapur maintains full lengths of roads on either side of the Kodi ferry and it was this fact that weighed with the Government when they ordered its transfer to the Coondapur Panchayat Board though much against the wishes of the District Board.

4. I strongly feel that unless the Moolky Panchayat Board actually constructs roads on either sides of the ferries and maintain them, there is no justification for the transfer of the management of the ferries to that Panchayat Board.

5. The income of the three ferries referred to in your letter for the ~~past~~ last three years is given below :-

Year	Gundi ferry	Kodi ferry	Sasihithlu ferry.	
1937-38	Rs 602/-	190/-	105/-	897
1938-39	681/-	65/-	154/-	900
1939-40	757/-	107/-	176/-	940
				2737

6. I shall send full information with regard to the actual lengths of roads to be formed on either sides of the ferries in question and their estimated cost after hearing from the District Board Engineer. 912

(sd) K.Vittal Shetty
President.

/True copy/

President,
Dt.Board,S.Kanara.

DJK/4.12.40.
5.12.40

P.W.D. 13

Endt.No. 43725/40-2 dt 19-12-40

32/19/12

Ferries - S.Kanara - Mangalore taluk - Ferries at Kodi, Gundi and Sasihithlu - Transfer of management - Revision of orders

D63 (A) Read:- Govt. 2084 PW(-E) dt 30.5.40.
D67 (A) Memo No 32116-1/A2 (L.A Dept) dt 14.10.40
Dpt-12-C4. Ref. From the P.D.B, S.Kanara, No.26231 C-2/40, dated 25-11-1940.

Rdr. 1/3
20/3

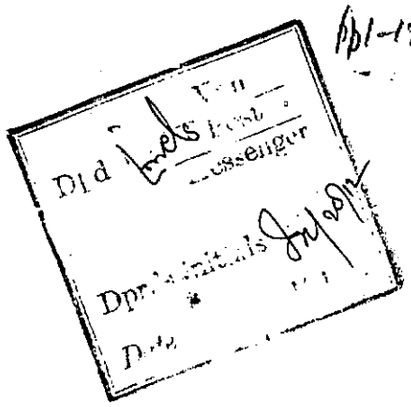
Referred to the Board of Revenue for remarks in consultation with the Inspector of Municipal Councils and Local Boards.

Sd/- 19.12.40 18/12

To

The Board of Revenue. (with copy of P.D.B's letter..
" Copy to the Inspector of Local & Ml.Cls.

D1-12-C4



15

IN REPLY PLEASE QUOTE NUMBER, DATE & SHORT TITLE

Local Administration DEPARTMENT

RECEIVED REGISTERED 13603

FROM (NAME) Sri Bola Vasudeva Rao.

(DESIGNATION) President Panchavat Board Moolky.S.K.Dt.

TO,

The Secretary,
Public Works (Irrigation) Department.
To The Government Of Madras.MADRAS

No. 15 & (a) P.B.M, Dated 11-1-41

Sir,

Sub:Ferries-Transfer of management- Kodi,Gundy andSashihithlu-Mulki Panchayat Area- South Kanara District

Ref: G.O.No.Ms.2084.P.W.(I) of30-9-1940.

I understand that the President District Board,South Kanara has written protesting against G.O.No.Ms.2084.and requesting you to cancel the above order.I request I may be given an opportunity to explain myself,ifneed be, if at all the G.O.passed is to be modified in any way.

President,
Panchayat Board, Moolky, S.K.

11-1-41

End.No 4372 D/40-2 dt. 16-1-41.
P.W. Dept

Referred to the Bd of Rev for necessary action in continuation of End No. 4372 D/40-2 dt 19-12-40

To The Bd of Rev with reference to copy of P.P. No 15/1/41 letter dtd

(Canara p/15 auth)

17

IN REPLY PLEASE QUOTE NUMBER, DATE & SHORT TITLE

Local administration

RECEIVED ..... REGISTERED

SECRETARY TO GOVERNMENT PUBLIC WORKS DEPARTMENT 3 FEB 1941 3911 D

FROM (NAME) Sri Bola Vasudeva Rau

(DESIGNATION) President Panchayat Board Moolki (S.K.Dt)

TO,

The Secretary,
Public Works Department (Irrigation)
To The Govt of Madras Fort St George
Madras

No. 153-A/40-41
P.B.M.

Dated 30-1-41

T.O.S. P.C.O.D. Sir,

A Similar letter was received from the P.P.B. on 11.1.41 which was referred to the Board of Rev — vide p/15 auth. No reply to the P.P.B appears necessary. The Bd's report may be awaited till 15/3/41.

4/2/41 Issd

Mdg. 639 (A)

17

Subject Kovi, Guni Sanchithe.

Ferries — Moolki Panchayat area — Mangalore Taluk — South Kanara District.

Ref G.O. No Dis 2084 P.W.(1) of 30-9-40

I understand that the President

M/Bank

(A) District Board, South Kanara, has written protesting against G.O. No Dis 2084 and requesting you to cancel the above order I request I may be given an opportunity to explain myself if need be, if at all the G.O. passed is to be modified in any way

B. Vasudeva Rau
President,
Panchayat Board

30-1-41

B

IN REPLY PLEASE QUOTE NUMBER, DATE & SHORT TITLE

Local administration

RECEIVED REGISTERED

ASST. SECRETARY TO GOVT. PUBLIC DEPARTMENT
14 FEB 1941
1543

FROM (NAME) Sri Bola Vasudeva Rau

(DESIGNATION) President Panchayat Board, Mulki

TO,

The Secretary, Public Works (Irrigation) Department
To the Government of Madras
Fort St. George Madras.

No. 153-B/4041 P.B.M, Dated 12-2-41

P.W.D.

To P.S. The Board's report may be available by the 15/3/41. Put up. 17/2/41.

Sir,

Subject :- Furnis - Kodi Gundi Sasthibhloo - transfer of management - Mulki - Panchayat area - South Kanara Distt

L.639 (A) L.17 (S) Ref :- G.O. No. Ms 2084 P.W (1) of 30-9-1940
G.O. No. Ms 2688 of 2-12-1940

On receipt of the above two orders I wrote to the President District Board South Kanara vide L.27 Infra the copy of whose reply received on 4-12-1940 ~~(illegible)~~ is enclosed. As I came to know that the President District Board had written to Government protesting against the above order and requesting the same to be cancelled, I wrote on 11-1-41 that cf. L.15 Infra I may be given an opportunity to explain myself if need be, if at all the G.O. passed is to be modified in any way. My Board desires me to place the following facts for a Sympathetic

(P.T.O)

Consideration of its proper claim with a request not to effect any change in the orders passed.

The District Board made over many Cartstands and Markets, yeilding as good an income of about Rs 1000/- and more in some individual cases, to the Panchayats in the District The income of these cartstands and markets are derived from people coming from many villages of the Taluqs or even outside, and this income is made over to one Panchayat to be spent to the betterment of the area comprised in that Panchayat. whereas major portion of the income from Side ferries is obtained from people of the village or villages consisting the Panchayat and especially in case of the side ferries connected with the above Sl. 6 almost the whole income is received out of the two or three villages consisting the Panchayat — Bantwanad, Uchitas and Mejmadi. The District Board which has made over the income of the markets and cartstands can have no sort of grievance and claim on the income of the side ferries Yet the President District Board seems to have written protesting against the above Sl. 6. depending on a resolution of the District Board passed in about 1934 or 35, refusing to make over such income At that time there were not many Panchayats which had such side ferries, of late the number of Panchayats have increased and many of these are formed of villages which have a net work

(P.T.O.)

of streams and rivers which have to be crossed by the villagers often and for which either foot bridges should be constructed or ferries operated. Ully Panchayat had to construct five such foot bridges at the very start at a cost of Rs 1639-15-0 and Rs 381-1-4 The side ferries in question are the only proper source which would bring any legitimate income to the Board. Cart stand in all markets had been tried and they were failures. It is the Panchayats that are to open out new roads. This Panchayat is keen at having roads reaching to the above side ferries and is anxious to open out the vast area by construction of several new roads. Since the Panchayat is at present growing due to the opening of a High School and many other reasons.

I could gather that individually the District Board members are of opinion that income of side ferries should be made over to the Panchayats but as the President had written his protest as per old resolution of the Board they had to approve of his action.

The income of the Board is hardly sufficient to meet the charges of lighting and sanitation and other recurring expenditure,

(P.T.O)

ಸಂ 1941 ನೇ ಅಕ್ಟೋಬರ್ ತಿಂಗಳಾಂತ್ಯದಲ್ಲಿ 31 ನೇ ತಾರೀಖಿನಂದು ಕೂಡಿದ ಮಾಸಿಕ ಪಂಚಾಯತ್ ಸಭೆಯಲ್ಲಿ ಮಧ್ಯಾಹ್ನ ಗಂ 3-30 ಕ್ಕೆ ಪ್ರಾರಂಭವಾದ ಮೂಲ್ಕಿ ಪಂಚಾಯತ್ ಬೋರ್ಡಿನ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ಅಂತು ಹಿಡಿಯಲಾಯಿತು

ಠರಾವು ಮಾಡಿದ್ದು :- ಈ ಬೋರ್ಡಿನವರು ಮೂಲ್ಕಿ ತಾಲೂಕಿನಲ್ಲಿ ಹಿಡಿದುಕೊಂಡಿರುವ ಹೊಳೆ ದಾಟುವ ಪಡಿಗಳ ವ್ಯವಸ್ಥೆಯನ್ನು ಪಂಚಾಯತ್ ಬೋರ್ಡಿನವರಿಗೆ ಒಪ್ಪಿಸಿಕೊಡುವಂತೆ ಕೋರಿ ಸರಕಾರಕ್ಕೆ ಬರೆಯಲಾಗಿರುವ ಕಾಗದದ ಕರಡನ್ನು ಅಧ್ಯಕ್ಷರು ಓದಿ ಹೇಳಿದ್ದು ಸರಿಯಾಗಿದೆಯೆಂದು ಒಪ್ಪಿಗೆ ಕೊಟ್ಟಿದ್ದು ಆ ಕಾಗದದ ಒಂದು ನಕಲನ್ನು ಜಿಲ್ಲಾ ಕಲೆಕ್ಟರ್ ಸಾಹೇಬರಿಗೆ ಕಳುಹಿಸಿಕೊಡುವಂತೆಯೂ ಠರಾವಾಯಿತು

(78) ಈ ಮೇಲಿನ ನಮೂದಿನ ಪ್ರಕಾರ ಮೂಲ್ಕಿ ತಾಲೂಕಿನಲ್ಲಿ ಹಿಡಿದುಕೊಂಡಿರುವ ಹೊಳೆ ದಾಟುವ ಪಡಿಗಳ ವ್ಯವಸ್ಥೆಯನ್ನು 1941 — ನೇ ಮೇ ತಾರೀಖಿನಿಂದ ಪಂಚಾಯತ್ ಬೋರ್ಡಿನವರಿಗೆ ಒಪ್ಪಿಸಿಕೊಡುವಂತೆ

Resolved to forward the letter drafted by the President to the Government, and a copy of which also may be forwarded to the Collector of South Kanara, for favour of necessary early action and hand over the management of the side ferries without the income of which the Panchayat is very much handicapped to carry out any kind of village reconstruction work which is so badly needed in the extensive area of the ferries constituting this Panchayat.

Office of the Panchayat Board,
Mulki, dated 12-2-1941

President,
Panchayat Board, Mulki, S.K.,

From :-

Sri Mettal Shetty

President District Board S. Kanara

Mangalore.

To The President

Panchayat Board

Moolky

Ref No 26231-C2 dated 4-12-40

Sir

Ferries - Mangalore Taluk - Transfer of management of certain ferries - Information furnished

Ref :- your Ref :- No 150/40-41 dated 6-11

The matter is under correspondence and further particulars will be furnished to you in due course

(Sd) M. Seinder Rao.
For President.

(True copy)

Forwarded

By order (Sd) x x
Superintendent

x x x x x x x x

(True Copy)

Secretary of the Panchayat Board,
Mulki dated 12-2-41.

Pres[illegible] Mulki
Panchayat

D

31 MAR 1941

1087 P.W. DEPARTMENT.

PUBLIC WORKS DEPARTMENT

22(a) A5 AS(LR) A 49829

C.F. 98.

REMINDER

SECY.

REPLY

22 MAR 1941

Irrigation Branch

22 MAR 1941

1028

MADRAS

To THE Board of Rev. — The Secretary to the Government Public Works Department.

I ~~have the honour to invite~~ am directed to invite attention to P 10F

Endt. No. 43725/40-2, dated 19-12-40 and to

~~to request that the reply to it may be expedited~~ request that this reminder may be returned at once with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, ~~and~~

~~(3) the circumstances which have caused the delay.~~

Office P. W. Secy.

Station Fort St. George.

Dated 20/3/41

Signature. Under Secretary to Govt. 21/3

Designation.

Resubmitted.

2. A reference has been made to the Collector on 28-2-41 and his reply has not yet been received. The Board's report will be submitted soon after the Collector's reply is received

26.3.41

Assistant Secretary, Board of Revenue Madras

24-3-41

SUBJECT. Ferries — S. Kanara — Mangalore taluk — Ferries at Kodi, Gundi and Sakleshpur — Transfer of management —

20/3/41

20/3

4928/40

SECY. 3-MAY 1941

C.F. 98.

P.W. DEPARTMENT.

REMINDER. Irrigation Branch. **REPLY.**

OFFICE OF THE BOARD OF REVENUE 3-MAY 1941 A 1493

To THE Board of Rev To THE Secretary to Govt. P.W.D.

ASST. SECRETARY TO GOVERNMENT D 3 29 MAY 1941 1462 PUBLIC WORKS DEPT

I ~~have the honour to invite~~ am directed to invite attention to Endt. No. 4372 B/40-2, dated 19-12-40 and ~~to request that the reply to it may be expedited~~ request that this reminder may be returned at once with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

(3) the circumstances which have caused the delay.

Office P.W. Secty

Station Fort St. George.

Dated 1-5-41.

Signature. Asst Secretary to Govt. Designation.

1/5

SUBJECT.

Ferries — S. Kanara - Mangalore taluk - Ferries at Kodi, Gundi and Sasihithlu - Transfer of management —

1.5.41

2. The Inspector of Municipal Councils and Local Boards is consulted and his reply is awaited. The Board's report will be submitted as soon as it is received

5.5.41

Assistant Secretary Board of Revenue Madras

5.5.41

NOTE. — The file is sent to the Inspector of Municipal Councils and Local Boards.

5.5.41

C.F. 98.

SECY. REMINDER. 25 JUN 1941

Public Works DEPARTMENT.

Bridges Branch.

25 JUN 1941

A. 2252

TO THE Board of Revenue

I ~~have the honour to invite~~ am directed to invite ~~i nvite~~ attention to Lr. dt.

No. 4372 D/40-2 dated 19-12-40 and

~~to request that the reply to it may be expedited~~

request that this reminder may be returned at once with information as to—

(1) the stage at which the matter now is, and

(2) the date by which a reply may be expected, ~~and~~

~~(3) the circumstances which have caused the~~ delay

Office P. W. Secy

Station Fort St George

Dated 26-6-41

Signature.

Asst. Secretary to Govt.

Designation.

23/6

SUBJECT.

Ferries — South Kanara — Mangalore Ferries at Kodi Gundi and Sani transfer of management.

34

AS(HOT

C.F.No.

REPLY.

To The Secy. to Government
P.W.D. (Irrigation)

Remembered

2. The Inspector of Municipal Councils and Local Boards has been requested G.O. and the reply is awaited. The Board's report will be forwarded as soon as the reply is received.

26.6.41
Assistant Secretary
Board of Revenue
Chepauk

1968

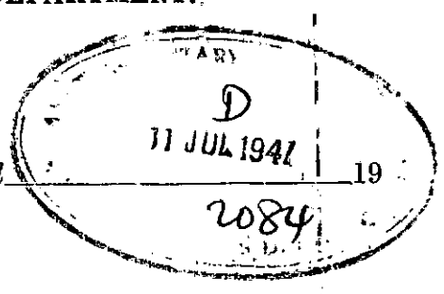
P.W.D
A.R. Tell 1.8.41

35

C.F. 31—12,006—28-11-39

REVENUE DEPARTMENT.

CURRENT No.



Received _____ 19 *Registered* _____ 19

Subject.

Ferries - (South Kanara)- Mangalore Taluk - Ferries at Kodi, Gundi and Sasihithlu - Transfer of management.

* * *

Refce. A No. 4928/40-4

Station Madras, *Dated the* 9th July 19 41.

From

S.Y. Krishnaswami Esq., I.C.S.,

Joint Secretary,

Board of Revenue.

-o-

G.W. Priestley Esq., I.C.S.,
Commissioner of Land Revenue & Irrigation.

-o-

READ the following:

From the Government Public Works Department Memorandum
No. 4372 D/40-2 dated 19-12-40 — p 13 ante
Do. /40-3 dated 16- 1-41 p 15 ante
Do. /40- 4 dated 19- 2-41 p 23 ante

Copy at pp 36-37 ante Letter from M.V. Subrahmanyan Esq., I.C.S., Collector of South Kanara-D.Dis No. 324-41 dated 5-4-41:

Copy at pp 37-38 ante Letter from the Inspector of Municipal Council and Local Boards L.Dis 41193/40 dated 26-6-41.

-o-

REFERENCE:

Submitted to the Government.

pp 36-38 ante

2. The Board agrees with the Collector and the Inspector of Municipal Councils and Local Boards and considers that there is no justification to revise the orders already passed by the Government in the matter.

G.O. No. 2084 (A) 25-9-40

N Krishnaswami
10/7/41

For JOINT SECRETARY.

To
The Secretary to Government,
Public Works Department.

Sk/10-7

P.T.O.

10/7

Copy of letter No. D.Dis 724/41 dated 24-41 & from the Collector of South Kanara to the Secretary to the Board of Revenue, Land Revenue & Irrigation.

-o-

FERRIES - South Kanara District - Mangalore Taluk Ferries at Kodi, Gundi and Sasihithlu - Transfer of Management to the Panchayat Board, Mulki - Revision of orders - report submitted.

Ref: Board's Ref. A 4928/40-1 and 2 dated 4-1-41 and 23-1-41 respectively.

-o-

The recommendation for the transfer of the management of the ferries at Kodi, Gundi and Sasihithlu in Mangalore Taluk to the Mulki Panchayat Board was made in this office D.Dis 5283/39 dated 16-12-1939 as it was considered that it would be a more suitable arrangement. The District Board was not consulted. It would certainly have been more appropriate if the District Board had been consulted before the transfer was proposed; but now that the President, District Board, has placed his case, the point is no longer of interest.

p51 (5) D

2. If, in any case, it is found to be the appropriate arrangement to have the management of a ferry transferred to a Panchayat Board the fact that it would affect the finances of the District Board becomes a matter of minor importance Nor is the fact that similar requests for transfer are likely to come from other Panchayat Boards a sound objection in principle. If the circumstances are similar, and a case is likewise made out for a transfer to a Panchayat Board, transfers will have to be made in all those cases. "Village ferries" are a legitimate source of income for Panchayat Boards - vide Rule 5(17) of Schedule V of Local Boards Act. If ferries which ought properly to have been classed as 'village ferries' have been wrongly classed as 'District ferries', reclassification and transfer of management will have to be made whenever the occasion arises.

3. The District Board has made a point of the fact that the Panchayat Board has not formed the road on either side and is not in a position to do it. The first answer to that is that while enjoying the ~~xx~~ income of the ferries in question all these years, the District Board itself has not formed any such road; and what the District Board has been doing with the ferries without approach roads the Panchayat Board will hereafter be doing. The second answer is that the cost estimated by the District Board for the construction of the roads has been pitched too high. The third answer is that the Panchayat Board has been doing good work, is keen on forming these approach roads also, and the income from the ferries will enable it to take up the work quicker, and it can be expected to take it up and finish it in the course of a few years.

4. The conclusive answer to the District Board's claim is of course the fact that the ferries are not "district ferries" at all. I have inspected the localities. All the three ferries are strictly local ferries catering to local traffic between the outlying hamlets on either side of the rivers. They are properly 'village ferries'. They do not serve any lines of communication maintained by the District Board. There is another ferry, distinct from these three, which serves the coast road maintained by the District Board.

P.T.O.

5. In G.O. No. Ms 1121-I P.W. Department dated 3rd June 1940, the Government accorded their approval to the reclassification of ferries and the tolls proposed to be levied by the District Board with effect from 1-4-41. The District Board got the necessary notification published in the Local Fund sheet of the District Gazette for November 1940. There is therefore no necessity to take up the question of re-fixing the rate of tolls to be levied at the three ferries in question. The Panchayat Board, Mooky, will naturally adopt with effect from 1-4-1941 the rates already notified by the District Board in the Gazette referred to above.

-o-

Copy of letter No. L.Dis 41193/40 dated 26-6-41 from the Inspector of Municipal Councils and Local Boards, Madras to the Secretary to the Board of Revenue, Land Revenue M a d r a s.

-o-

Sub: FERRIES - Kodi, Gundi and Sasihithlu - Mulki Panchayat South Kanara district - Transfer of management -

Ref: Endorsement 4372/D/40-2 dated 19-12-40 of the Government in the Public Works Department.

-o-

The contention of the President, District Board South Kanara against the transfer of the ferries in question to the control of the Mulki panchayat Board is that it would result in a reduction of the revenues of the District Board and that unless the roads on either side of the ferries in question are constructed and maintained by the Panchayat Board, the transfer should not be made. The first objection cannot be accepted, if other conditions warrant the transfer. As regards the second objection the ferries in question appear to have been under the management of the District Board and previously perhaps under the Taluk Board since 1891. Though it is now nearly 50 years since then, the approach roads do not seem to have been formed and maintained. Merely because the transfer has now been made to the Panchayat, the President District Board cannot urge this as a condition precedent to the transfer.

The main factor that should be taken into account in ordering the classification of a ferry is to see whether it serves only the local need or the need of a fairly large area in the district In Schedule V of the Madras Local Boards Act, the former is classified as village ferries and the latter as District Board ferries and the income from them is creditable to the funds of the panchayat and the district board respectively - Vide Rule 5-A(17 and 5-B(13) of Schedule V to the Madras Local Boards Act. In this case the president, panchayat board has reported that the income from all these ferries is derived from out of 2 or 3 villages lying within the jurisdiction of the Mulki panchayat.

The Collector has reported that he had inspected the ferries and that he was satisfied that they were strictly local ferries catering to local traffic. Even under the classification ordered by Government in G.O. No. 1121-I. P.W.D. dated 3-6-40 the Gundi ferry has been classified as class III(a) and Kodi and Sasihithlu ferries as class III(b) - the more important ferries being classified as Class I and class II. There is therefore no doubt that every one of these three ferries is a 'village ferry' within the meaning of the Madras Local Boards Act and that the Panchayat is legitimately entitled to the revenues from them.

P.T.O.

138

As regards the formation and maintenance of approach roads, against the district board's failure to attend to this amenity for nearly 50 years, there is the possibility of the panchayat as the local authority more interested in the ferry, deriving a greater income from them than the district board and utilizing as much of it as possible for the provision of this amenity. On these grounds, I consider that there is no justification to revise the orders already passed by the Government in the matter. No doubt when the order was originally passed by Government the district board could have been consulted though the provisions of the canals and public ferries Act do not make it obligatory on the part of the Government to do so. But as the Collector has pointed out the President District Board who has himself raised the objection now has not advanced any arguments warranting a reconsideration of the orders already passed.

-o-

Sk/10-7

8.8.1977

Public Works Department.

Ferries - S.Kanara - Mangalore taluk - Ferries at Kodi, Gundi and Sasihithlu - Transfer of management to the Mulki Panchayat Board - Revision of orders -

---

C.No.4372D/40. From the P.D.B, S.Kanara Ref.No.26231-C-2/40 d/25-11-40.

--

To U.S.

Please see the P.D.B's letter in the current file.

Para 1 of the P.D.B's letter:- The P.D.B. was not consulted in view of what is stated at "A" on p.58 of G.O.No.2084 P.W.(I) dated 30-9-40. There was no indication in the correspondence leading to the G.O. that the Inspector did not recommend the proposal.

Para 2 of the P.D.B's letter:- The transfer was made on the recommendation of the Collector and the Board of Revenue.

Para 3 of the P.D.B's letter:- As only the management of the ferries has been transferred to the Panchayat Board, the question of the rates of tolls did not arise. The existing rates remain unaffected.

2. For orders whether the Board's remarks may be called for on the P.D.B's letter as the orders in the G.O. were based on the recommendations of the Collector and the Board of Revenue. L.A.D. may see for remarks.

SECRETARY TO GOVERNMENT 14 DEC 1940 LOCAL ADMINISTRATION DEPT.

P.W.B.U.O.4372D/40-1

13-12-40.

12.12.40

LAD

2

(A Deptt

Please see the note of the PWD at p/ant ~~these are no remarks to offer~~ Attention is invited to the note of this Deptt at pp 59-60 of GO No 2084 PW dt 30.9.40 This Deptt may perhaps suggest to PWD that the Inspector also may be consulted in the matter. Note X at p 2 C/F

14.12.40

14/12

This Dept recommends that a resolution of the Panchayat should be obtained, and that the D.B. should be consulted

LA would now recommend that the Inspector should be consulted

16.12

PWD

LA No 35963-1/40
17 DEC 1940
4494

P.W.D.

To U.S.

Ref. "A" above.

Please see the L.A.D. note at p.60 of G.O.No. 2084 P.W.(I) dated 30-9-40. The ~~G.O.~~ Deptt was accepted by that department. What was suggested by them was that a copy of the note at pp.59-60 of the above G.O. may be sent to them for authorizing the Mulki Panchayat Board to incur the expenditure incidental to the management of the ferry at Sasihithlu situated outside the Panchayat's

jurisdiction. This was accordingly done. The Inspector of Municipal Councils and Local Boards was also asked to sanction the incurring by the Mulki Panchayat of the expenditure in regard to the maintenance of the ferry at Sasihithlu under section 112(2) of the Local Boards Act and to ask the Panchayat Board to pass a resolution agreeing to take over the management of the ferry - vide L.A.D. memo at p.67 of the above G.O. The Inspector has not, after the receipt of this memo, addressed Govt in the matter.

(A)

"B" on p.2 ante.

The Board of Revenue may be asked to offer its remarks on the P.D.B's letter in consultation with the Inspector of Municipal Councils and Local Bds. A draft endt. is submitted.

18.12.40 18/12

[Endt No. 4372D/40-2 dt. 19.12.40]

From the P.P.B., Mulki No. 153(a)/40-41 dt. 11-1-41 P.B.M
Endt. to the Board of Rev No. 4372D/40-3 dt. 16.1.41
From the P.P.B., Mulki No. 153-B/40-41 dt. 12.2.41 P.B.M
Endt. to the Board of Rev No. 4372D/40-4 dt. 19.2.41
From the Board of Rev No. A.4928/40-4 dt. 9.7.41

The Board of Rev's view may be accepted. A draft order is submitted for approval. L.A.D may see before issue.

TPS 14/7 1577

15/7 16.7.41

SECRETARY TO GOVERNMENT 17 JUL 1941 LOCAL ADMINISTRATION DEPT.

20162

P.W. no. 4372D/40-5 16.7.41 L.A

4

LA Deptt

Please see the note of the PWD at P 3 ante - the draft order may be perused and the file ~~pass~~ returned to that deptt

SH
18741
25/7

Secy
PWD

LA No 20162-1
24741

PWD

The draft order may

issue
EOS
25/7

26/7

issue
26.7.41